

Applicant	James D. Beason
Serial No.	09/992,880
Filing Date	November 5, 2001
Group Art Unit	2814
Examiner Name	V. Hoai Pham
Facsimile No.	703-872-9306
Attorney Docket No.	125.014US01
Title: INTEGRATED CIRCUIT WITH A MOS CAPACITOR	

**FACSIMILE
TRANSMITTAL
FORM**

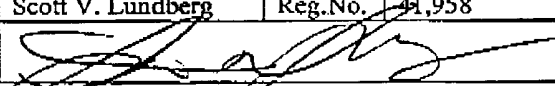
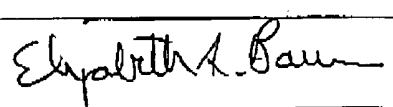
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TOTAL PAGES: 16 pgs. (including cover sheet)
TO CENTRAL FAX - (703) 872-9306
Attention: Examiner V. Hoai Pham, Art Unit 2814

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Enclosures					
The following documents are enclosed:					
<input checked="" type="checkbox"/> Amendment and Response Under 37 C.F.R. §1.111 (12 pgs.).					
<input checked="" type="checkbox"/> Copy of Notice of Non-Compliant Amendment mailed March 2, 2004 (2 pgs.)					
<input checked="" type="checkbox"/> Response to Non-Compliant Amendment (1 pg.)					
Please charge any additional fees or credit any overpayments to Deposit Account No. 502432.					
Submitted By					
Name	Scott V. Lundberg	Reg. No.	41,958	Telephone	(612) 332-4720
Signature				Date	March 31, 2004
Attorneys for Applicant Fogg & Associates, LLC P.O. Box 581339 Minneapolis, MN 55458-1339 T: 612-332-4720 F: 612-332-4731					
CUSTOMER NUMBER: 34206					
Certificate of Transmission					
I certify that this paper, and the above-identified documents, are being transmitted by facsimile to, Examiner V. Hoai Pham, Group Art Unit 2814 (Facsimile No. 703-872-9306) of the United States Patent and Trademark Office on March 31, 2004.					
Name	Elizabeth A. Bauer	Signature			

Applicant	James D. Beasom	RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT OFFICIAL RECEIVED CENTRAL FAX CENTER
Serial No.	09/9925,880	
Filing Date	November 5, 2001	
Group Art Unit	2814	
Examiner Name	Hoai V. Pham	
Confirmation No.	7668	
Attorney Docket No.	125.014US01	
Title: INTEGRATED CIRCUIT WITH A MOS CAPACITOR		

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

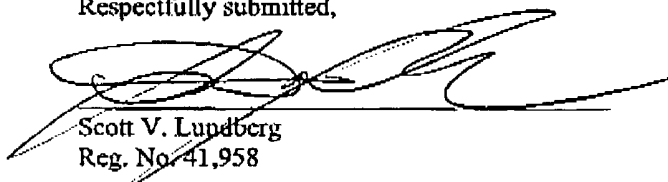
MAR 31 2004

Applicant has reviewed the Notice of Non-Compliant Amendment mailed on March 2, 2004 (copy enclosed). This notice indicates that the cause of the amendment document to be non-compliant is that the Amendment and Response filed on February 24, 2004 did not include a complete listing of the claims, including withdrawn claims. Please find attached the Amendment and Response with a complete listing of the claims.

The application should now be in condition for examination. Please direct any inquiries to the undersigned attorney.

Respectfully submitted,

Date: 3-31-04


Scott V. Lundberg
Reg. No. 41,958

Attorneys for Applicant
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,880	11/05/2001	James D. Benson	125.014US01	7668

7590

03/02/2004

Attn: Scott Lundberg
Fogg & Associates, LLC
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Minneapolis, MN 55458-1339

EXAMINER

PHAM, HOAI V

ART UNIT

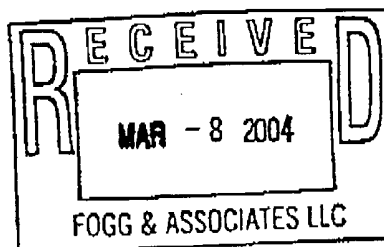
PAPER NUMBER

2814

DATE MAILED: 03/02/2004

Resp. Due 4/2/04 DV

Please find below and/or attached an Office communication concerning this application or proceeding.



PTO-90C (Rev. 10/03)



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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 02/24/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: All claims are to be listed

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/procnotice/office/lyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Heaven OKON
Legal Instruments Examiner (LIE)

Telephone No.

Applicant(s)	James D. Beasom	<u>AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111</u>
Serial No.	09/992,880	
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants have reviewed the Office Action mailed on November 24, 2003. Please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 10 of this paper.